

AMENDED IN SENATE FEBRUARY 9, 2012
AMENDED IN SENATE SEPTEMBER 1, 2011
AMENDED IN ASSEMBLY APRIL 25, 2011
AMENDED IN ASSEMBLY APRIL 14, 2011
AMENDED IN ASSEMBLY MARCH 31, 2011
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1275

Introduced by Assembly Member Torres

February 18, 2011

An act to ~~amend Sections 33121.5 and 33125 of, and to add Section 33137 to, the Health and Safety Code, relating to redevelopment~~ *add Section 6256 to the Government Code, relating to public records.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1275, as amended, Torres. ~~Redevelopment: agency contracts. California Public Records Act: exemption: emergency 911 telephone calls.~~

The California Public Records Act requires state and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. The Warren-911-Emergency-Assistance Act provides a statewide system for the use of "911" as the primary emergency telephone number.

This bill would prohibit a state or local agency from disclosing any portion of a 911 emergency telephone call providing medical or personal identifying information.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities in order to address the effects of blight, as defined, in those communities and requires those agencies to prepare, or cause to be prepared, and approve a redevelopment plan for each project area. Existing law authorizes each agency to make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

This bill would provide that a contract entered into by an agency that is subject to validating proceedings, or a particular severable provision of the contract, may be declared by a court to be null and void if the court determines that the contract or severable portion of the contract violates the law or public policy. The bill would make other technical changes.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6256 is added to the Government Code,
- 2 to read:
- 3 6256. Notwithstanding any other law, a public agency shall
- 4 not disclose any portion of a 911 emergency telephone call
- 5 providing medical or personal identifying information.
- 6 SECTION 1. ~~Section 33121.5 of the Health and Safety Code~~
- 7 ~~is amended to read:~~
- 8 33121.5. ~~When a decision, determination, or other action by~~
- 9 ~~the agency or legislative body is required by this part, neither the~~
- 10 ~~agency nor the legislative body shall delegate the obligation to~~
- 11 ~~decide, determine, or act to another person or entity unless a~~
- 12 ~~provision of this part specifically provides for that delegation. This~~
- 13 ~~section shall not be deemed to prevent the delegation of ministerial~~
- 14 ~~or administrative decisions to administrative officers or employees~~
- 15 ~~if that delegation is subject to standards sufficient to ensure~~
- 16 ~~consistency with the decision of the agency or legislative body.~~
- 17 SEC. 2. ~~Section 33125 of the Health and Safety Code is~~
- 18 ~~amended to read:~~
- 19 33125. ~~An agency may do all of the following:~~
- 20 ~~(a) Sue and be sued.~~
- 21 ~~(b) Have a seal.~~

1 ~~(e) Make, execute, and amend contracts and other instruments,~~
2 ~~subject to the limitations and obligations imposed on an agency~~
3 ~~by this part, as may be necessary or convenient to the exercise of~~
4 ~~its powers.~~

5 ~~(d) Make, amend, and repeal bylaws and regulations not~~
6 ~~inconsistent with, and to carry into effect, the powers and purposes~~
7 ~~of this part.~~

8 ~~SEC. 3. Section 33137 is added to the Health and Safety Code,~~
9 ~~to read:~~

10 ~~33137. Notwithstanding Chapter 9 (commencing with Section~~
11 ~~860) of Title 10 of Part 2 of the Code of Civil Procedure, a contract~~
12 ~~entered into by an agency that is subject to validating proceedings~~
13 ~~pursuant to Section 53511 of the Government Code, or a particular~~
14 ~~severable provision of that contract, may be declared by a court~~
15 ~~to be null and void if the court determines that the contract or~~
16 ~~severable provision of the contract violates the law or public policy.~~